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 ACTION AF-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	OASY-00	DINT-01	DODE-00
	EB-01	FBIE-00	H-01	TEDE-00	INR-00	IO-10	L-01
	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-01	PRS-01	P-01
	SP-00	SR-00	SS-00	STR-01	TRSE-00	USIE-00	PRME-01
	DRL-09	G-00		/032W			

-----B8D325 061508Z /38

R 061510Z APR 95
 FM AMEMBASSY KIGALI
 TO SECSTATE WASHDC 0433
 INFO RWANDA COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 KIGALI 001075

E.O. 123546: NA
 TAGS: PHUM, PINS, RW, BU
 SUBJECT: THE MINISTERS OF INTERIOR AND YOUTH
 COMMENT ON THE PRESENT SITUATION

1. C -- ENTIRE TEXT

2. AMBASSADOR AND ACTING DCM CALLED ON THE MINISTER OF
 INTERIOR APRIL 4 AND THE MINISTER OF YOUTH APRIL 5 TO
 DELIVBR OUR MESSAGE ABOUT ARRESTS, PRISON OVERCROWDING,
 AND INTBRNAL SECURITY. THE FORMER A HUTU, THE LATTER A
 TUTSI, THEY ARE BOTH PROMINENT LEADERS IN THE RWANDAN
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 PATRIOTIC FRONT, BUT THEIR RESPONSES SEEMED TO REFLECT

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THEIR ETHNIC SYMPATHIES RATHER THAN PARTY LINE.

THE MINISTER OF THE INTERIOR

3. MINISTER OF THE INTERIOR SETH SENDASHONGA ACKNOWLEDGED THE SLOWNESS OF THE JUSTICE SYSTEM. HE SAID THAT UP TO 30% OF THOSE IN PRISON ON GENOCIDE CHARGES MAY BE INNOCENT. IF TEN PEOPLE ARE DYING IN CUSTODY EACH DAY, THREE INNOCENT PEOPLE ARE DYING BECAUSE THE SYSTEM IS NOT MOVING QUICKLY ENOUGH, HE SAID. THE TRIAGE COMMISSION IS NOT WORKING FOR THE SIMPLE REASON THAT THE MILITARY AUTHORITIES WILL NOT COOPERATE IN ITS OPERATIONS, HE SAID. GETTING THE COMMISSION GOING REQUIRED A HIGH-LEVEL POLITICAL DECISION. FINANCIAL OR MATERIAL SUPPORT ALONE WOULD NOT BE SUFFICIENT. THE AMBASSADOR TOOK THIS OPPORTUNITY TO PRESS FOR THE RELEASE OF THOSE LEAST LIKELY TO DO HARM OUTSIDE THE PRISON -- THE VERY YOUNG AND THE VERY OLD.

4. SENDASHONGA SAID THAT THE PROBLEM WAS NOT THAT EASY. ARRBSTS HAD BECOME POLITICALLY MOTIVATED, NORMAL PROCEDURES WERE BEING CURTAILED. BURGOMASTERS (LOCAL MAYORS) WERE SUPPLIED WITH PRE-SIGNED ARREST WARRANTS ALLOWING THEM TO ROUND PEOPLE UP ALMOST AT WILL, AND SENDASHONGA SEEMED TO IMPLY THAT AMONG BURGOMASTERS THERE WAS A FEELING THAT THE WARRANTS REPRESENTED A QUOTA TO BE FILLED. HE WAS TRYING TO STOP THE PRE-SIGNED WARRANT

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PRACTICE. ALMOST ALL THE BURGOMASTERS ARE TEMPORARY POLITICAL APPOINTMENTS. ONE OF THE FIRST ORDERS OF ELECTORAL BUSINESS WILL BE THE ESTABLISHMENT OF NEW REPRESENTATIVE COMMUNITY COUNCILS.

5. IT IS IMPOSSIBLE TO INSTITUTE CORRECT CIVIL ARREST PROCEDURES, SENDASHONGA SAID, BECAUSE THE ONLY POLICE FORCE IS THE GENDARMERIE AND IT REPORTS TO THE MILITARY, NOT TO CIVILIAN AUTHORITIES. AS WE HAVE PREVIOUSLY REPORTED, ARRESTING OFFICERS LACK ID BADGES OR CARDS,

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GIVING CIVILIANS NO WAY OF KNOWING WHO HAS THE RIGHT TO
MAKE A LEGAL ARREST.

THE MINISTER OF YOUTH

6. THE MINISTER OF YOUTH AND ASSOCIATIONS, PATRICK MAZIMHAKA, WAS PREOCCUPIED WITH THE SITUATION IN BURUNDI. HE BELIEVES THAT UNSYGREP ABDALLAH HAD LOST CREDIBILITY BECAUSE OF HIS FAILURE TO STAY AHEAD OF THE UNFOLDING DEVELOPMENTS THERE. HE WONDERED IF LEADERS OF THE REGION SHOULD NOT STEP FORWARD TO REMIND BURUNDI POLITICIANS OF THE DANGEROUS GAME THEY WERE PLAYING. ALTERNATIVELY, POLITICAL LEADERS MIGHT BE DISCREETLY INVITED TO RWANDA FOR A PRIVATE MEETING. BURUNDI POLITICIANS HAD TO GIVE UP VIOLENCE AS A TOOL OF POLITICAL COMPETITION IF THE COUNTRY WERE TO SURVIVE. THERE WOULD NOT BE PEACE AND STABILITY IN BURUNDI OR RWANDA, MAZIMHAKA SAID, UNTIL THERE WAS PEACE AND STABILITY IN BOTH. TO THAT END HE THOUGHT OF TRYING TO DRUM UP SUPPORT FOR A REGIONAL PEACE

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CONFERENCE TO INCLUDE ZAIRE, TANZANIA, UGANDA.

7. MAZIMHAKA TOOK A SOMEWHAT HARDER LINE ON ARRESTS THAN HAVE SOME OF OUR OTHER INTERLOCUTORS. HE ESTIMATED THE NUMBER OF PRISONERS AT 20,000 WHERE MOST SAY 30,000, AND HE SAID THAT THOSE ARRESTED WERE BUT A FRACTION OF THOSE GUILTY OF GENOCIDE. WHEN THE AMBASSADOR SUGGESTED THE RELEASE OF THE VERY YOUNG AND THE VERY OLD, MAZIMHAKA ASKED IF WE HAD VISITED THE PRISONS AND ASKED THE PRISONERS WHAT THEY HAD DONE. "THEY WILL TELL YOU," HE SAID. "THEY WILL TELL YOU HOW MANY EACH KILLED." ADCM SAID THAT HE

HAD SPOKEN TO A JOURNALIST WHO SAW AN 86 YEAR OLD BLIND WOMAN IN KIGALI CENTRAL PRISON. "PERHAPS," ADCM SUGGESTED, "EVEN IF SHE IS GUILTY OF A CRIME, SHE REPRESENTS NO DANGER TO THE POPULATION AT LARGE NOW?" THE MINISTER SEEMED TO TAKE THIS POINT ON BOARD, BUT INSISTED THAT MOST OF THE GUILTY REMAINED UNREPBNTANT.

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8. AMBASSADOR PRESSED THE ISSUE OF OPERATIONAL NECESSITY. WE WANTED TO HELP BRING JUSTICE TO RWANDA BUT THB INCREASED RATES OF ARREST MADE IT IMPOSSIBLE TO GET AHEAD. HOW COULD THE GOVERNMENT COPE WITH THE OVERFLOWING PRISONS? THE DCM RAISED THE ISSUE OF RWANDA'S IMAGE IN

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R 061510Z APR 95

FM AMEMBASSY KIGALI

TO SECSTATE WASHDC 0434

INFO RWANDA COLLECTIVE

C O N F I D E N T I A L SECTION 02 OF 02 KIGALI 001075

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THE INTERNATIONAL COMMUNITY. IT WOULD BE A SHAME, HE
POINTED OUT, IF INEVITABLE HUMAN RIGHTS PROBLEMS IN THE

OVERCROWDED PRISONS, WHERE THE MINISTER OF INTERIOR
ESTIMATES TEN ARE DYING EVERY DAY, OVERSHADOWED IN THE
MINDS OF RWANDA'S FRIENDS THE GENOCIDE OF LAST YEAR. IN
THE AGE OF TELEVISION, THE MOST RECENT IMAGES TEND TO
REPLACE MEMORIES OF EVENTS, EVEN THOSE SO HORRIBLE AS THE
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GENOCIDE AND EVEN SO RECENT AS A YEAR AGO. MAZIMHAKA
RECOGNIZED THE OPERATIONAL DILEMMA AND THE POSSIBILITY OF
INTERNATIONAL CONDEMNATION; IN HIS VIEW THE ONLY SOLUTION
WAS TO EXPAND THE PRISONS. RWANDA WOULD NEED THE PRISON
SPACE EVENTUALLY FOR THOSE WHO WOULD BE FOUND GUILTY IN
COURT TRIALS.

9. COMMENT: MOST OF OUR INTERLOCUTORS HAVE ACKNOWLEDGED
THE PROBLEMS OF THE WORKINGS OF JUSTICE. SOME, SUCH AS
THE MINISTER OF THE INTERIOR, HAVE COME UP WITH CONCRETE
PROPOSALS WHICH WOULD NOT COST MUCH AND WOULD REPRESENT A
STEP IN THE RIGHT DIRECTION: ID CARDS. THE MINISTER OF
YOUTH WAS INTERESTED IN A PLAN PUT FORWARD BY THE
CANADIANS WHICH WOULD TAKE A CENSUS OF THE PRISON
POPULATION, GIVE EACH PRISONER A PICTURE ID CARD, AND
THUS AID THE PROCESSING OF TRIALS. BUT HE DREW THE LINE
AT ALLOWING SOME OF THESE PRISONERS OUT OF JAIL ON SOME
KIND OF BAIL ARRANGEMENT, AND NOT JUST BECAUSE OF THE
DANGER OF REVENGE KILLINGS. HE REMAINS CONVINCED THAT
MOST OF THOSE IN PRISON ARE GUILTY AND UNREPENTANT, AND
THAT IN JAIL THEY SHOULD STAY. RAWSON

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